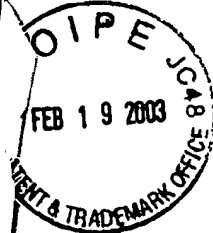


DAC #5



I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box DAC, Asst. Commissioner for Patents and Trademarks, Washington, D.C. on February 10, 2003

By: cl. Anglin

PATENT
Attorney Docket No. 14538A-004510US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James M. Roberts *et al.*

Application No.: 09/980,758

Filed: November 13, 2001
For: METHODS FOR INCREASING
PLANT CELL PROLIFERATION BY
FUNCTIONALLY INHIBITING A
PLANT CYCLING INHIBITOR GENE

Examiner: Unassigned

Art Unit: Unassigned

**PETITION TO WITHDRAW
ABANDONMENT**

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Box DAC
Assistant Commissioner for Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

This paper is filed in response to the Notice of Abandonment under 37 C.F.R. § 1.53 (f or (g) dated January 27, 2003, for failure to respond to the Notice to File Missing Parts dated January 18, 2002. A copy of the Transmittal Form, Response to File Missing Parts, Petition for Extension of Time, Executed Declarations, Sequence Listing, and the postcard acknowledgment stamped by the Patent Office Mail Room are enclosed as evidence of a timely response. Applicants respectfully request that the Notice of Abandonment be withdrawn in the above-referenced patent application. Such request is timely, with no intention of delay. No fee is believed due since the holding of abandonment was not due to Applicants error, however if deemed necessary, please charge (and refund) the \$130.00 petition fee and any other fees associated herewith to Townsend and Townsend and Crew LLP Deposit Account No. 20-1430.

Respectfully submitted,

Date: 10 February 2003

By: Brian W. Poor
Brian W. Poor
Reg. No. 32,928

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (206) 467-9600; Fax: (415) 576-0300
5015540



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TO THE U.S. PATENT & TRADEMARK OFFICE
Please stamp the date of receipt of the following document(s)
and return this card to us:

RE: James M. Roberts et al.

TITLE OF DOCUMENT(S):

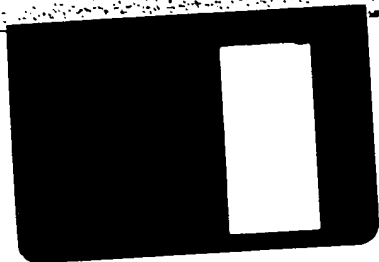
Response to Notice to File Missing Requirements
Transmittal Form Petition for Extension of Time
Declarations (2)
Sequence Listing Paper/Disk
Copy of Notice

Application No. 09/980,758
File No. 14538A-45-1US
Date Due April 18, 2003
Date Mailed April 18, 2003
Atty/Secty. BWP:ww

JC10 Rec'd PCT/PTO 29 APR 2002



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Applicant: James M. Roberts *et al.*
Title: METHODS FOR INCREASING
PLANT CELL PROLIFERATION BY
FUNCTIONALLY INHIBITING A
PLANT CYCLIN INHIBITOR GENE

Int. App. No.: PCT/US00/13379

Filed: May 15, 2000

Atty Docket: 14538A-45-1US

Brian W. Poor

Townsend and Townsend and Crew LLP

San Francisco, CA 94111

(206) 467-9600

BEST AVAILABLE COPY

TRANSMITTAL LETTER OF THE
UNITED STATES RECEIVING OFFICE

DATE	15 May 2000
APPLICATION NO.	US00/13379
ATTORNEY DOCKET NO.	13379A-45-1US

I. Certification under 37 CFR 1.10 (if applicable)

FEB 19 2003	
Express Mail mailing number	Date of Deposit
I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service via regular mail service under on the date indicated above and is addressed to the Box PCT, Assistant Commissioner for Patents, Washington D.C. 20231.	
Signature of person mailing correspondence	Typed or printed name of person mailing correspondence

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II. ☐ New International Application

Title	METHODS FOR INCREASING PLANT CELL PROLIFERATION BY FUNCTIONALLY INHIBITING A PLANT CYCLIN INHIBITOR GENE	Earliest priority date (Day/Month/Year)
		14 May 1999

SCREENING DISCLOSURE INFORMATION: In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☐ The invention disclosed was **not** made in the United States.
 B. ☐ There is no prior U.S. application relating to this invention.
 C. ☐ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: *priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claims for priority.*)

application no.		filed on	
application no.		filed on	

- D. ☐ The present international application ☐ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C above. The additional subject matter is found on pages: _____ and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 USC 181 and 37 CFR 5.1. See 37 CFR 5.15.

III. ☒ A Response to an Invitation from the RO/US. The following document(s) is (are) enclosed:

- A. ☒ A Request for an Extension of Time to File a Response.
 B. ☒ A Declaration and Power of Attorney (General or Regular)
 C. ☐ Replacement pages:

pages		of the request (PCT/RO/101)	pages		of the figures
pages		of the description	pages		of the abstract:
pages		of the claims			

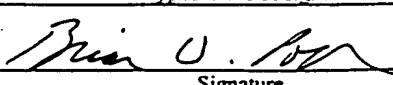
- D. ☐ Submission of Priority Documents

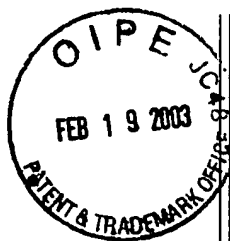
Priority document		Priority document	
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- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

- IV. ☐ A Request for rectification under PCT 91 ☐ A Petition ☒ A Sequence Listing Diskette
☐ Patent In Computer Disk Sequence. Pursuant to 37 CFR 1.821(f) and (g), it is believed that the content of the enclosed paper sequence listing and the computer readable sequence listing are the same.

The person
signing
this form is
the

<input type="checkbox"/> Applicant	Brian W. Poor
<input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 32,928	Typed name of signer
<input type="checkbox"/> Common Representative	 Signature



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents Washington, D.C. 20231 on

April 18, 2002

By: Henry Walter

PATENT

Attorney Docket No.: 14538A-45-1US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James M. Roberts *et al.*

International Appl. No.:
PCT/US00/13379

Application No.: 09/980,758

Filed: May 15, 2000

For: METHODS FOR INCREASING
PLANT CELL PROLIFERATION BY
FUNCTIONALLY INHIBITING A
PLANT CYCLIN INHIBITOR GENE

Examiner: Not Assigned

Art Unit: Not Assigned

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FEB 21 2003
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RESPONSE TO NOTICE OF MISSING
REQUIREMENTS UNDER 35 U.S.C. § 3.371

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Requirements under 35 U.S.C. § 3.371 dated January 18, 2002, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney (2)
- 2) Copy of Notice of Missing Parts
- 3) Request for 1 Month Extension of Time
- 4) Sequence Listing Diskette/Paper Copy
- 5) PCT Transmittal Form
- 6) Postcard

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to

Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

Dated: 18 April 2002

By: Brian W. Poor
Brian W. Poor
Reg. No. 32,928

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 206-467-9600
Fax: 415 576-0300
BWP:ww

5012361v1

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)
14538A-004510US

In re Application of James M. Roberts et al.

Application Number 09/980,758

Filed May 15, 2000

For METHODS FOR INCREASING PLANT CELL
PROLIFERATION BY FUNCTIONALLY INHIBITING A
PLANT CYCLIN INHIBITOR GENE

Group Art Unit

Examiner

Not Assigned

Not Assigned

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|---|-------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$110 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ |

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 55 .
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1430.
I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

April 18, 2002

Date

Signature

Brian W. Poor, Reg. No. 32,928

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SE 5012363 v1

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